

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF NEW YORK

-----X  
RAJIV GARG,

Plaintiff,

-against-

WINTERTHUR,

Defendant.  
-----X

**AFFIRMATION IN  
OPPOSITION**

Civil Action No:  
07 Civ. 0510

JAIMEE L. NARDIELLO, ESQ., an attorney, duly licensed and admitted to practice law before the United States District Court for the Eastern District of New York, hereby affirms the following under penalties of perjury and pursuant to the CPLR:

1. I am associated with the law firm of WEISER & ASSOCIATES, attorneys for plaintiff, RAJIV GARG, in the above entitled action, and as such am fully familiar with the facts and circumstances surrounding the case.
2. This affirmation, the accompanying Memorandum of Law, affidavit and exhibits are submitted in opposition to the motion of defendant, Winterthur's motion to dismiss.
3. Plaintiff, RAJIV GARG's claim against Winterthur arises out of an insurance agreement that was provided to Mr. Garg while a resident of Nassau County and ultimately breached by defendant. Plaintiff commenced the instant action in the Eastern District of New York, as personal jurisdiction may be acquired over defendant here and venue is proper here.
4. As set forth in plaintiff's accompanying Memorandum of Law, defendant's instant motion must be denied in its entirety.

Dated: New York, New York  
May 10, 2007

A handwritten signature in black ink, reading "Jaimee Nardiello". The signature is fluid and cursive, with the first name "Jaimee" and last name "Nardiello" clearly distinguishable.

JAIMEE L. NARDIELLO, ESQ.(JN-3173)

WEISER & ASSOCIATES, LLP

Attorneys for Plaintiffs

RAJIV GARG

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